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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/567,201	02/28/2006	Christian Mueller	ITC-337US	9426
23122	7590	05/26/2010		
RATNERPRESTIA P.O. BOX 980 VALLEY FORGE, PA 19482			EXAMINER BAXTER, GWENDOLYN WRENN	
			ART UNIT 3632	PAPER NUMBER
			MAIL DATE 05/26/2010	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/567,201

**Applicant(s)**

MUELLER, CHRISTIAN

**Examiner**

Gwendolyn Baxter

**Art Unit**

3632

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-52 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 36-52 is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-18, 20, 21 and 23-35 is/are rejected.
- 7) ☒ Claim(s) 10, 19, 22 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-8508)  
Paper No(s)/Mail Date 2/3/06, 8/14/07, 6/30/08
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_

This is the first Office action for application 10/567,201, Test Head Positioning System, filed February 28, 2006.

### ***Election/Restrictions***

The restriction requirement is withdrawn in review of the arguments presented by applicant filed September 4, 2009.

### ***Information Disclosure Statement***

The information disclosure statement filed June 30, 2008; August 14, 2007; and February 3, 2006 has been placed in the application file, and the information referred to therein has been considered.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 4-9, 11, 12, 14-18, 20, 21, 23-30, and 32-35 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,550,734 to Spadea. Spadea teaches an apparatus comprising a first support structure (21) and a second support structure (25). The first support structure is for supporting a load. The second support structure is for supporting the load. A coupling (13, 34) coupled between said first

support structure and said second support structure. The coupling includes a compliant mechanism (34) for providing a compliant range of motion to the load about a rotative axis where a center of gravity of the load is located away from said rotative axis, said rotative axis being a non-vertical axis. The compliant mechanism is configured to be adjusted manually to account for variations in the load. The compliant mechanism includes at least one spring (34). The coupling provides at least one additional range of motion to the load in a direction or about an axis (along element 11). The apparatus is a manipulator for manipulating a test head for testing integrated circuits or any article to be held therein. The second support structure (32, 36) supports said load through a second coupling (26). The second coupling provides the load with a range of motion about a second rotative axis (along 30). The first support structure provides the load with a first substantially vertical range of motion. The second support structure provides the load with a second substantially vertical range of motion. The second substantially vertical range of motion being different from the first substantially vertical range of motion. At least one of said first substantially vertical range of motion and said second substantially vertical range of motion is a compliant vertical range of motion. The coupling is a rotative coupling.

Regarding method claims 11, 12, 14-18, 29, 30, and 32-35, since the method is predicated on the structure, the method is inherently taught by Spadea.

Claims 1, 3, 11, 13, and 29-31 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Publication No. 2003/0080269 A1 to Oddsen. Oddsen teaches an apparatus comprising a first support structure (104) and a second support structure

(106). The first support structure is for supporting a load. The second support structure is for supporting the load. A coupling (102, 122) coupled between said first support structure and said second support structure. The coupling includes a compliant mechanism (122) for providing a compliant range of motion to the load about a rotative axis where a center of gravity of the load is located away from said rotative axis, said rotative axis being a non-vertical axis. The compliant mechanism includes at least one pneumatic actuator (122).

Regarding method claims 11, 13, 29, 30 and 31, since the method is predicated on the structure, the method is inherently taught by Spadea.

#### ***Allowable Subject Matter***

Claims 36-52 are allowed.

Claims 10, 19, and 22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Wirth 6105909; Twisselmann 6471165; and Sander 6543914 teach an apparatus for manipulating a load.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gwendolyn Baxter whose telephone number is 571-272-6814. The examiner can normally be reached on Monday-Friday, 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. Allen Shriver can be reached on 571-272-6698. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Gwendolyn Baxter/  
Primary Examiner, Art Unit 3632  
May 24, 2010